

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

SHANNON LEWANDOWSKI,

Plaintiff,

v.

Case No. 16-CV-1089

CITY OF MILWAUKEE,

Defendant.

---

COURT MINUTES OF TELEPHONE SCHEDULING CONFERENCE

---

HONORABLE WILLIAM E. DUFFIN PRESIDING

DATE: March 8, 2018 at 10:30 A.M.

DEPUTY CLERK: Linda M. Zik

TIME COMMENCED: 10:31:15 a.m.

TIME CONCLUDED: 10:43:44 a.m.

TAPE: FTR Gold

APPEARANCES:

PLAINTIFF: Janet L. Heins

DEFENDANT: Robin A. Pederson

**DEADLINES SET:**

**4/9/2018** - Initial Disclosures

**5/8/2018** – Plaintiff’s Expert Discovery

**7/9/2018** – Defendant’s Expert Discovery

**9/10/2018** – Discovery

**11/23/2018** – Dispositive / Summary Judgment Motions

**11/23/2018** – *Daubert* Motions

**COMMENTS:**

COURT addresses scheduling and the parties prior Rule 26(f) reports. Due to stays those dates have come and gone. An Amended Scheduling Order was issued in October 2017. The City of Milwaukee then filed a motion to dismiss which was withdrawn. Then an Amended Complaint was filed in March 2018. The Rule 26 initial disclosures deadline should have passed but other deadlines need to be set such as for discovery, expert disclosures and summary judgment motions.

HEINS does not know yet whether she will have experts.

PEDERSON does not anticipate experts.

COURT sets plaintiff’s expert deadline at 5/8/2018; Defendant’s expert deadline is 7/9/2018.

PEDERSON notes initial disclosures have not been made and discovery should be in phases separating the claims. He anticipates filing an answer and a 12(c) motion as to the 1983 claim. But, the case can proceed right away on the Title VII claim.

COURT sets the initial disclosure deadline at 4/9/2018.

PEDERSON states his motion and answer will be filed at the same time tomorrow or Monday (3/12/2018).

HEINS states there is a basis for a *Monell* claim. And, the defendant has drawn this case out beyond the point of reason. She has no problem with the filing of a motion but a discovery deadline should be set. There is no point in a further delay. The Title VII and *Monell* claims overlap.

COURT is not inclined to separate it out. There is overlap between the issues. A discovery deadline will be set. The case is moving forward. Court sets 9/10/2018 for a discovery deadline; Dispositive motions deadline is 11/12/2018; *Daubert* motions due by 11/12/2018.

No Final Pretrial or Trial dates will be set until dispositive motions are decided. If summary judgment motions are filed and claims survive or, if no summary judgment motions are filed, then the court will set another telephonic scheduling conference to schedule these dates.

Second Amended Scheduling Order to be entered.